

PENELOPE A. PREOVOLOS (CA SBN 87607)  
PPreovolos@mofo.com  
MORRISON & FOERSTER LLP  
425 Market Street  
San Francisco, California 94105-2482  
Telephone: 415.268.7000  
Facsimile: 415.268.7522

SEAN P. GATES (CA SBN 186247)  
SGates@charislex.com  
CHARIS LEX P.C.  
301 N. Lake Ave., Suite 1100  
Pasadena, California 91101  
Telephone: 626.508.1717  
Facsimile: 626.508.1730

Attorneys for Defendant TESLA, INC.

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

DAVID RASMUSSEN, an individual, on  
behalf of himself and all others similarly  
situated

Plaintiffs,

v.

TESLA, INC., a Delaware corporation.

Defendant.

Case No.: 5:19-cv-04596-BLF

**STIPULATION AND [PROPOSED] ORDER TO  
CONTINUE STAY PENDING MEDIATION**

STIPULATION AND [PROPOSED] ORDER TO CONTINUE STAY PENDING MEDIATION

CASE No.: 5:19-cv-04596-BLF

1 Plaintiff David Rasmussen (“Plaintiff”) and Defendant Tesla, Inc. (“Defendant”), through their  
2 undersigned counsel, hereby stipulate as follows:

3 WHEREAS, on August 7, 2019, Plaintiff filed Class Action Complaint;

4 WHEREAS, this Court previously continued the stay of this litigation to facilitate the parties’  
5 mediation (ECF No. 31);

6 WHEREAS, the parties had a mediation on July 24, 2020 with the Hon. Daniel Weinstein and  
7 Cathy Yanni of JAMS, Inc.;

8 WHEREAS, the parties are continuing their discussions in good faith and require additional time  
9 to complete them;

10 WHEREAS, the parties desire to preserve the status quo and prevent the parties and the Court  
11 from unnecessarily expending resources pending mediation;

12 THEREFORE, subject to the approval of the Court, the parties agree and stipulate as  
13 follows: The parties will report to the Court with an update on October 30, 2020. This matter  
14 shall be stayed until that date, and all other case deadlines shall be vacated.

15  
16 IT IS SO STIPULATED.

17  
18 Dated: August 13, 2020

Respectfully submitted,

19  
20 By: /s/ Sean P. Gates  
Sean P. Gates  
CHARIS LEX P.C.  
Attorneys for Defendant  
22 TESLA, INC.

23 Dated: August 13, 2020

Respectfully submitted,

24  
25 By: /s/ Edward C. Chen  
Edward C. Chen  
LAW OFFICE OF EDWARD C. CHEN  
Attorneys for Plaintiff  
27 DAVID RASMUSSEN  
28

1 Dated: August 13, 2020

Respectfully submitted,

3 By: /s/ Nimish R. Desai  
4 Nimish R. Desai  
5 LIEFF CABRASER HEIMANN &  
6 BERNSTEIN, LLP  
7 Attorneys for Plaintiff  
8 DAVID RASMUSSEN  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ECF ATTESTATION**

I, Sean Gates, am the ECF User whose ID and password are being used to file the foregoing STIPULATION AND [PROPOSED] ORDER TO STAY CASE PENDING MEDIATION. In compliance with Local Rule 5-1, I hereby attest that Nimish Desai and Edward C. Chen have concurred in this filing.

Dated: August 13, 2020

By: /s/ Sean P. Gates  
Sean P. Gates  
CHARIS LEX P.C.  
Attorneys for Defendant  
TESLA, INC.

**[PROPOSED] ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED that the parties will report to the Court with an update on October 30, 2020. This matter shall be stayed until that date, and all other case deadlines shall be vacated.

Dated:

---

Honorable Beth L. Freeman  
Judge of the United States District Court